

IAP15 Rec'd PCT/PTO 23 JAN 2007

I hereby certify that this paper (along with any paper referred to as being attached or enclosed) is being deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to the: Mail Stop Missing Parts, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Date: January 19, 2007

Sharon A. Lira  
(Type or print name of person mailing paper)

[Signature]  
(Signature of person mailing paper)

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re PATENT APPLICATION of	)	
	)	
Jin et al.	)	Docket No. 354.PFUS
	)	Customer No.: 25000
Serial No: 10/569,655	)	
	)	
I.A. Filed: September 17, 2004	)	
	)	
Title: AZA-QUINOLINOL PHOSPHONATE	)	
INTEGRASE INHIBITOR COMPOUNDS	)	

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

**RESPONSE TO NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C.  
371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE**

The Office has notified applicants of missing items from its filing, setting a period for response of October 11, 2006. Applicants submit a Request for a Four Month Extension of time, extending the response date to February 11, 2007.

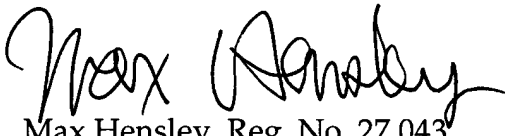
In particular, the Office has required submission of an oath and declaration of the inventors and a sequence listing, and in addition has solicited an additional fee of \$130.

Applicants submit herewith the signed oath and declaration of the inventors and authorized the deduction of the \$130 fee from Deposit Account no 07-1250.

With regard to the requirement for a sequence listing, applicants have carefully reviewed the specification and find no amino acid or nucleotide sequences, and certainly none over 3 residues or 9 bases, as provided in 37 C.F.R. 1.821. While the compounds of this invention may comprise an amino acid residue (see for example page 45, line 7), and salts with "one or more amino acids" are contemplated (page 50, line 5), there is no example of any compound with more than one amino acid residue. The Office is requested to reconsider and withdraw the requirement for a sequence ID listing.

Applicants solicit an Office action on the merits.

Respectfully submitted,



Max Hensley, Reg. No. 27,043

Gilead Sciences, Inc.

333 Lakeside Drive

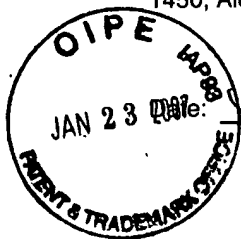
Foster City, CA 94404

Telephone: (650) 522-5535

Facsimile: (650) 522-5575

Date: January 18, 2007

I hereby certify that this paper (along with any paper referred to as being transmitted therewith) is being deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to the: Mail Stop Missing Parts, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.



Date: January 19, 2007

Sharon A. Lira

(Type or print name of person mailing paper)

(Signature of person mailing paper)

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Jin et al.

Serial No.: 10/569,655

Group No.: Unassigned

I.A. Filed: September 17, 2004

Examiner: Unassigned

For: AZA-QUINOLINOL  
PHOSPHONATE INTEGRASE  
INHIBITOR COMPOUNDS

Docket No: 354.PFUS

Mail Stop Missing Parts  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

## COMPLETION OF FILING REQUIREMENTS

- ☒ This replies to the Notification of Missing Requirements Under U.S.C. 371 In the United States Designated/Elected Office (DO/EO/US) mailed August 11, 2006.
- ☒ A copy of the Notification of Missing Requirements Under U.S.C. 371 In the United States Designated/Elected Office (DO/EO/US) is enclosed.
- ☒ Response to Notification of Missing Requirements Under U.S.C. 371 In the United States Designated/Elected Office (DO/EO/US) is enclosed.

## DECLARATION OR OATH

- II. ☒ No original executed declaration or oath was filed and enclosed is the original executed declaration or oath for this application

OR

- ☐ The original declaration or oath which was filed was determined to be defective. A new original oath or declaration is attached.

Attached is a

- (c) ☐ Statement by a registered attorney that the application filed in the PTO is the application which the inventor executed by signing the declaration.
- (d) ☐ Statement that the "attached" specification is a copy of the specification and any amendments thereto which were filed in the PTO to obtain the filing date.

**AMENDMENT**

- III. ☐ Cancel claims \_\_\_\_\_ inclusive.
- ☐ Preliminary Amendment

**TRANSMITTAL OF ENGLISH TRANSLATION  
OF NON-ENGLISH LANGUAGE PAPERS**

- IV. ☐ Submitted herewith is a verified English translation of the non-English language application papers as originally filed. It is requested that this translation be used as the copy for examination purposes in the PTO.

**COMPLETION FEES**

- VI. 1. Filing fee
- ☐ original patent application  
(37 CFR 1.16 (a)---\$770.00; small entity---\$385.00) \$ \_\_\_\_\_
- ☐ design application  
(37 CFR 1.16 (f)---\$340.00; small entity---\$170.00) \$ \_\_\_\_\_
2. fees for claims
- ☐ each independent claim in excess of 3  
(37 CFR 1.16 (b)---\$200.00; small entity---\$100.00) \$ \_\_\_\_\_
- ☐ each claim in excess of 20  
(37 CFR 1.16 (c)---\$50.00; small entity---\$25.00) \$ \_\_\_\_\_
- ☐ multiple dependent claim(s)  
(37 CFR 1.16 (d)---\$360.00; small entity---\$180.00) \$ \_\_\_\_\_
3. surcharge fees
- ☐ late payment of filing fee *and/or*
- ☒ late filing of original declaration or oath  
(37 CFR 1.16 (e)---\$130.00; small entity---\$65.00) \$ 130.00
4. ☐ petition and fee for filing by other than all the inventors or a person not the inventor  
(37 CFR 1.17 (h) and 1.47---\$130.00) \$ \_\_\_\_\_
5. ☐ fee for processing an application filed with a specification in a non-English language  
(37 CFR 1.17 (k) and 1.52 (d)---\$130.00) \$ \_\_\_\_\_
6. ☐ fee for processing and retention of application  
(37 CFR 1.21 (l) and 1.53 (d)---\$300.00) \$ \_\_\_\_\_
- Total completion fees \$ 130.00

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01 FC:1617 130.00 DA

### EXTENSION OF TIME

**VII.**

The proceedings herein are for a patent application and the provisions of 37 CFR 1.136 (a) apply.

- (a) ☒ Applicant petitions for an extension of time, the fees for which are set out in 37 CFR 1.17 (a)-(d)), for the total number of months checked below:

	Extension (months)	Fee for other than small entity	Fee for small entity
<input type="checkbox"/>	one month	\$120.00	\$60.00
<input type="checkbox"/>	two months	\$450.00	\$225.00
<input type="checkbox"/>	three months	\$1,020.00	\$510.00
<input checked="" type="checkbox"/>	four months	\$1,590.00	\$795.00
<input type="checkbox"/>	five months	\$2,160.00	\$1,080.00
		Fee \$	1,590.00

If an additional extension of time is required please consider this a petition therefor.

- ☐ An extension for \_\_\_\_\_ months has already been secured and the fee paid therefor of \$ \_\_\_\_\_ is deducted from the total fee due for the total months of extension now requested.

Extension fee due with this request \$ 1,590.00

**O R**

- (b) ☐ Applicant believes that no extension of term is required. However, this conditional petition is being made to provide for the possibility that applicant has inadvertently overlooked the need for a petition for extension of time.

### TOTAL FEE DUE

**VIII.** The total fee due is

Completion fee(s) \$ 130.00  
Extension fee (if any) \$ 1,590.00

TOTAL FEE DUE \$ 1720.00

### PAYMENT OF FEES

**IX.**

- ☐ Check in the amount of \$ \_\_\_\_\_  
☒ Charge Account No. 07-1250 in the amount of \$ 1,720.00  
A duplicate of this transmittal is attached.

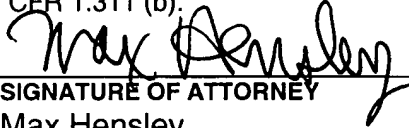
### AUTHORIZATION TO CHARGE ADDITIONAL FEES

**X.**

- ☒ The Commissioner is hereby authorized by this document to charge any additional fees which may be required by this paper and during the entire pendency of this application to Account No. 07-1250, except the issue fee at or before mailing of Notice of Allowance, pursuant to 37 CFR 1.311 (b).

Reg. No. 27,043  
Tel. No.: ( 650 ) 522-5535

CUSTOMER NO: 25000

  
\_\_\_\_\_  
SIGNATURE OF ATTORNEY  
Max Hensley  
\_\_\_\_\_  
Type or print name of attorney

Gilead Sciences, Inc.  
333 Lakeside Drive  
\_\_\_\_\_  
P.O. Address

Foster City, CA 94404  
\_\_\_\_\_

01/25/2007 LLANDGRA 00000005 071250 10569655

02 FC:1254 1590.00 DA



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/569,655	Haolun Jin	354PFUS

INTERNATIONAL APPLICATION NO.
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PCT/US04/30743

I.A. FILING DATE	PRIORITY DATE
09/17/2004	09/19/2003

25000  
GILEAD SCIENCES INC  
333 LAKESIDE DR  
FOSTER CITY, CA 94404

CONFIRMATION NO. 1300

371 FORMALITIES LETTER



\*OC000000019990432\*

RECEIVED AUG 29 2006

Date Mailed: 08/11/2006

**NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)**

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Copy of the International Application filed on 02/24/2006
- Copy of the International Search Report filed on 02/24/2006
- Copy of IPE Report filed on 02/24/2006
- U.S. Basic National Fees filed on 02/24/2006
- Priority Documents filed on 02/24/2006
- Specification filed on 02/24/2006
- Claims filed on 02/24/2006
- Abstracts filed on 02/24/2006

The applicant needs to satisfy supplemental fees problems indicated below.

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.
- To avoid abandonment, a surcharge (for late submission of filing fee, search fee, examination fee or oath or declaration) as set forth in 37 CFR 1.492(h) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.

**SUMMARY OF FEES DUE:**

Total additional fees required for this application is **\$130** for a Large Entity:

• \$130 Surcharge.

- This application clearly fails to comply with the requirements of 37 CFR. 1.821-1.825. Applicant's attention is directed to the final rulemaking notice published at 55 FR 18230 (May 1, 1990), and 1114 OG 29 (May 15, 1990). If the effective filing date is on or after July 1, 1998, see the final rulemaking notice published at 63 FR 29620 (June 1, 1998) and 1211 OG 82 (June 23, 1998). If the effective filing date is on or after September 8, 2000, see the final rulemaking notice published in the Federal Register at 65 FR 54604 (September 8, 2000) and 1238 OG 145 (September 19, 2000). Applicant must provide an initial computer readable form (CRF) copy of the "Sequence Listing", an initial paper or compact disc copy of the "Sequence Listing", **as well as an amendment specifically directing its entry into the application.** Applicant must also provide a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d). If applicant desires the sequence listing in the instant application to be identical with that of another application on file in the U.S. Patent and Trademark Office, such request in accordance with 37 CFR 1.821(e) may be submitted in lieu of a new CRF.
- A copy of the "Sequence Listing" in computer readable form has not been submitted as required by 37 CFR 1.821(e). If the effective filing date is on or after September 8, 2000, see the final rulemaking notice published in the Federal Register at 65 FR 54604 (September 8, 2000) and 1238 OG 145 (September 19, 2000). Applicant must provide an initial computer readable form (CRF) copy of the "Sequence Listing" and a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d). If applicant desires the sequence listing in the instant application to be identical with that of another application on file in the U.S. Patent and Trademark Office, such request in accordance with 37 CFR 1.821(e) may be submitted in lieu of a new CRF.

Applicant is cautioned that correction of the above items may cause the specification and drawings page count to exceed 100 pages. If the specification and drawings exceed 100 pages, applicant will need to submit the required application size fee.

For questions regarding compliance to 37 CFR 1.821-1.825 requirements, please contact:

- For Rules Interpretation, call (571) 272-0951
- For Patentin Software Program Help, call Patent EBC at 1-866-217-9197 or directly at 703-305-3028 / 703-308-6845 between the hours of 6 a.m. and 12 midnight, Monday through Friday, EST.
- Send e-mail correspondence for Patentin Software Program Help @ [ebc@uspto.gov](mailto:ebc@uspto.gov)

**ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.**

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

CHARITTA A BURT

Telephone: (703) 308-9140 EXT 207

PART 1 - ATTORNEY/APPLICANT COPY

U.S. APPLICATION NUMBER NO.

10/569,655

INTERNATIONAL APPLICATION NO.

PCT/US04/30743

ATTY. DOCKET NO.

354PFUS

FORM PCT/DO/EO/905 (371 Formalities Notice)